

Decision 05-12-028 December 15, 2005

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of the City and County of San Francisco, acting by and through the San Francisco Port Commission, for order authorizing the construction of at-grade crossings at the intersection of Amador, Cargo Way and Illinois Street, Illinois Street south of Marin Street and the reconstruction of an existing at-grade crossing at the intersection of Illinois Street and Marin Street for the Illinois Street Intermodal Bridge Project in the City and County of San Francisco.

Application 05-09-002  
(Filed September 2, 2005)

**O P I N I O N**

**Summary**

The City and County of San Francisco (CCSF) is granted authority to construct two new highway-rail at-grade crossings (crossing); one at the intersection of Illinois Street/ Amador Street/ Cargo Way and one across Illinois Street just south of its intersection with Marin Street, and to reconstruct an existing at-grade crossing at Marin Street in the City and County of San Francisco.

**Discussion**

The at-grade crossings proposed in this decision are part of a plan to improve circulation and transportation infrastructure in the vicinity to the CCSF's southern waterfront.

The key to this project is the proposed Illinois Street Intermodal Bridge (Bridge) Project across the Islais Creek channel one block east of the existing Levon Hagoop Nishkian drawbridge on Third Street. The Bridge will extend Illinois Street from its present terminus at the north bank of Islais Creek southward to the new Illinois Street/ Amador Street/ Cargo Way intersection. As part of the Bridge project, that intersection will be signalized for vehicular traffic, including battery back ups for the traffic signals. The Bridge will consist of two vehicular travel lanes and a single rail line in the center of the Bridge. A new at-grade crossing will be constructed through the intersection of Illinois Street/ Amador Street/ Cargo Way. Vehicular traffic will be cleared from the Bridge prior to the arrival of a train and held off of the Bridge by traffic signals during rail movements. Railroad-activated “No Left Turn”, “No Right Turn” and “Do Not Enter” signs are included in the project. The railroad-activated extinguishable messages signs will activate to prohibit vehicular movements on to the Bridge during and in advance of train occupation of the Bridge, in conjunction with the traffic signals. Appendix A contains the locations of extinguishable message signs.

A new crossing is proposed over the northbound lane on Illinois Street just south of the intersection of Marin Street/ Illinois Street, having a turnout that crosses the northbound traffic lane on Illinois Street to provide access to Pier 80. The existing Marin Street crossing will have an unused spur track removed and will also be signalized and have rail-activated traffic control signs, which will replace the two existing CPUC Standard No. 8As (flashing light signals with additional lights on cantilevered mast arm), as described in General Order 75-C, at the crossing.

The warning devices at the crossings will consist of traffic signals with railroad preemption, and railroad-activated traffic control signs.

Construction of the Bridge will reduce industrial traffic on Third Street associated with the Port of San Francisco (Port) and other industrial entities in the vicinity. Third Street is a heavily used major arterial corridor that was recently narrowed from six lanes to four lanes as part of the San Francisco Municipal Railroad's Third Street light rail extension.

The crossings approved in this decision will directly lead to the closure of five at-grade highway-rail crossings, with four additional crossing closures also included as part of the project listed in Appendix B. Construction of the Bridge will allow for improved rail service to the Port's facilities at Pier 80 by rerouting trains from the existing 3.3-mile circuitous route on the Potrero lead track to a 0.66-mile segment of mainline track along Quint Street.

The Potrero lead is a predominately street running branch line that runs along 16<sup>th</sup> and Illinois Streets, through the Mission Bay redevelopment area. Freight trains operating on the branch line run in the middle of city streets, sharing traffic lanes with vehicular traffic. Construction of the highway-rail crossings approved in this decision will allow for the complete removal of the street running track on 16<sup>th</sup> Street, and the five crossings associated with it. The street running branch on Illinois Street will remain, but will be used infrequently when rail access to Pier 70 is required.

The Quint Street lead has a short stretch of street running track on Quint Street, which has very light vehicular traffic. The Quint Street lead is a low density rail line, with a maximum allowed operating speed of 10 miles per hour. Union Pacific Railroad (UP) operates four to six trains per week over this track

and serves local industries. No passenger service is provided over this line. The decrease in exposure of vehicles to trains will improve the overall safety.

The CCSF, through the Department of City Planning, is the lead agency for this project under the California Environmental Quality Act (CEQA), as amended, Public Resources (PR) Code Section 21000 et seq. On January 9, 1997, the City and County of San Francisco Planning Commission certified the Final Environmental Impact Report (EIR) for the "Waterfront Land Use Plan." Due to proposed development not considered in the original EIR, the CCSF certified on February 15, 2001 the "Southern Waterfront Final Supplemental Environmental Impact Report" (SEIR), which included an analysis of the Bridge. On December 10, 2002 the Planning Department's Environmental Review Officer issued an Addendum to the SEIR to address proposed changes to the Bridge design. On December 19, 2002, in compliance with CEQA, the CCSF filed its Notice of Determination with the County Clerk of San Francisco County, approving the project, which stated that the project will have a significant effect on the environment (State Clearinghouse Number 94123007). Accordingly, the Port adopted mitigation measures as a condition of approval of the project, and submitted a Statement of Overriding Considerations (SOC) for the project. (Resolution # 02-61.)

The Commission is a responsible agency for this project under CEQA (PR Code Section 21000 et seq.). CEQA requires that the Commission consider the environmental consequences of a project that is subject to its discretionary approval. In particular, to comply with CEQA, a responsible agency must consider the lead agency's EIR or Negative Declaration prior to acting upon or approving the project (CEQA Guideline Section 15050(b)). The specific activities

that must be conducted by a responsible agency are contained in CEQA Guideline Section 15096.

We have reviewed the CCSF's environmental documentation. The documentation consists of the Notice of Determination (NOD), a Final EIR, an SEIR and an SOC. We find that these environmental documents are adequate for our decision-making purpose. Analysis of potential environmental impacts included Land Use, Transportation, Air Quality, Noise, Biological Resources, Geology, Soils and Seismicity, Hydrology and Water Quality, Hazardous Materials, and Growth Inducement.

Transportation, safety and noise are within the scope of the Commission's permitting process. The environmental documentation discussed noise and transportation, but did not discuss safety.

Transportation impacts identified in the SEIR related to monitoring traffic levels in the area and instituting the identified improvements as mitigations for future developments; improvements at the Amador Street/Cargo Way intersection and the Bridge was identified as a mitigation measure since it is expected to improve the level of service at the Cargo Way/Third Street intersection to an acceptable level.

Noise impacts were identified in the Final EIR for short-term noise related to construction. All construction-related noise impacts will be mitigated to a level less than significant by limiting the hours of construction to the least noise sensitive hours of the day, and by notifying neighboring residents and/or business occupants to inform them of dates, hours, and duration as such activities so these parties may plan their activities accordingly.

In adopting the SOC, the CCSF determined that certain project benefits outweigh the significant and unavoidable impacts and warrant project approval.

The SOC stated that the significant and unavoidable impacts of the project were acceptable due to the projects potential to support and strengthen the Port's cargo and maritime business by creating a transportation infrastructure improvement and will reduce the impacts of the Port's operations on the waterfront and surrounding communities.

With respect to the potentially-significant noise and transportation impacts identified above that could be mitigated, the Commission finds that the CCSF adopted feasible mitigation measures to either eliminate or substantially lessen those impacts. With respect to the project environmental impacts that remain significant and unavoidable, we also find that the CCSF identified reasonable project benefits to justify its adoption of an SOC and project approval. Therefore, we similarly adopt and require the mitigation measures identified in the City's SEIR and adopt the SOC, for purposes of our project approval.

Rail Crossing Engineering Section (RCES) staff has inspected the site of the proposed project. Appendix C contains the location of the project with crossing illustrations. After reviewing the need for and safety of the highway-rail crossings, RCES recommends that the requested authority sought by the CCSF be granted but expire if not exercised within a period of two years.

Application 05-09-002 meets the filing requirements of the Commission's Rules of Practice and Procedure, including Rule 40, which relates to the construction of a railroad track across a public highway.

### **Categorization and Need for Hearings**

In Resolution ALJ 176-3158, dated September 9, 2005, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests have been received.

Given these developments, a public hearing is not necessary, and it is not necessary to disturb the preliminary determinations made in Resolution ALJ 176-3158.

### **Waiver of Comment Period**

This application is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Public Utilities Code Section 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

### **Assignment of Proceeding**

Richard Clark is the assigned Examiner in this proceeding.

### **Findings of Fact**

1. Notice of the application was published in the Commission Daily Calendar on September 7, 2005. No protests have been filed.
2. The CCSF requests authority, under Public Utilities Code Sections 1201-1205, to construct two new, and to reconstruct an existing at-grade highway-rail crossing (CPUC Crossing No. 002SF-1.88) over the branch line tracks of UP in the City and County of San Francisco. Public convenience, safety, and necessity require the construction of the two new, and one reconstructed at-grade highway-rail crossings.
3. As part of this project nine highway-rail crossings will be closed.
4. The CCSF is the lead agency for this project under CEQA, as amended.
5. The Commission is a responsible agency for this project, and has reviewed and considered the CCSF's environmental documentation.
6. On December 19, 2002, the CCSF filed its NOD approving the project and found that the project would have a significant effect on the environment. An SOC was adopted for the project.

7. The CCSF's environmental document is adequate for our decision-making purposes.

8. Transportation, safety and noise are within the scope of the Commission's permitting process.

9. The Commission finds that for each potentially significant impact related to transportation and noise, the CCSF adopted feasible mitigation measures to either eliminate or substantially lessen those impacts. Safety was not discussed within the environmental document.

10. The Commission finds that for environmental impacts determined to be significant and unavoidable, the CCSF reasonably concluded there are sufficient project benefits to warrant project approval.

### **Conclusions of Law**

1. The application is uncontested and a public hearing is not necessary.
2. We adopt the CCSF's NOD and require the mitigation measures identified in the CCSF's SEIR as well as the SOC for purposes of our approval.
3. The application should be granted as set forth in the following order.

### **O R D E R**

#### **IT IS ORDERED** that:

1. The City and County of San Francisco (CCSF) is authorized to construct two new highway-rail crossings (crossing) at the intersection of Illinois Street/ Amador Street/ Cargo Way and on at Illinois Street and to reconstruct an existing at-grade crossing at Marin Street over the track of the Union Pacific Railroad in the City and County of San Francisco.
2. CCSF shall install traffic signals with railroad preemption and railroad-activated warning signs at each crossing.



3. CCSF shall close all nine crossings listed in Appendix B.
4. CCSF shall comply with all applicable General Orders, the Federal Highway Administration's Manual on Uniform Traffic Control Devices as amended by the California Supplement, and the Caltrans Highway Design Manual.
5. Within 30 days after completion of the work under this order, the CCSF shall notify Rail Crossings Engineering Section in writing, by submitting a completed standard Commission Form G (Report of Changes at Highway Grade Crossings and Separations), that the authorized work is completed.
6. This authorization shall expire if not exercised within two years from the effective date of this decision unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.
7. This application is granted as set forth above.
8. Application 05-09-002 is closed.

This order is effective 30 days from today.

Dated December 15, 2005, at San Francisco, California.

MICHAEL R. PEEVEY  
President  
GEOFFREY F. BROWN  
SUSAN P. KENNEDY  
DIAN M. GRUENEICH  
JOHN A. BOHN  
Commissioners



### **Locations of Extinguishable Message Signs**

For eastbound traffic on Cargo Way approaching the Cargo Way/Amador Street/Illinois Street intersection: "No Left Turn"

For westbound traffic on Cargo Way approaching the Cargo Way/Amador Street/Illinois Street intersection: "No Right Turn"

For southbound traffic on Illinois Street approaching the Cargo Way/Amador Street/Illinois Street intersection: "Do Not Enter"

For southbound traffic on Illinois Street approaching the Illinois Street/Marin Street intersection: "Do Not Enter"

For westbound traffic on Marin Street approaching the Illinois Street/Marin Street intersection: "No Left Turn"

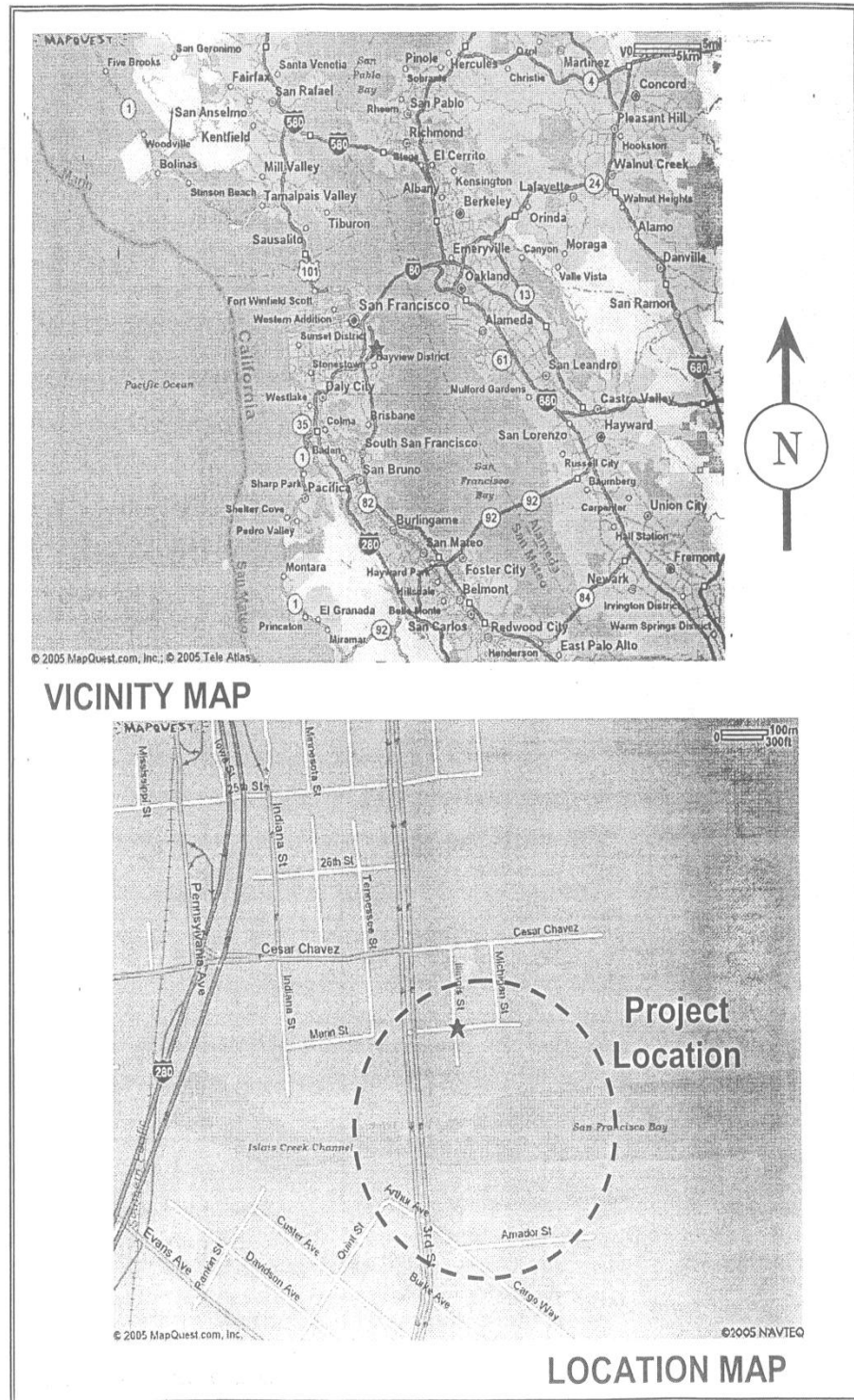
For eastbound traffic on Marin Street approaching the Illinois Street/Marin Street intersection: "No Right Turn"

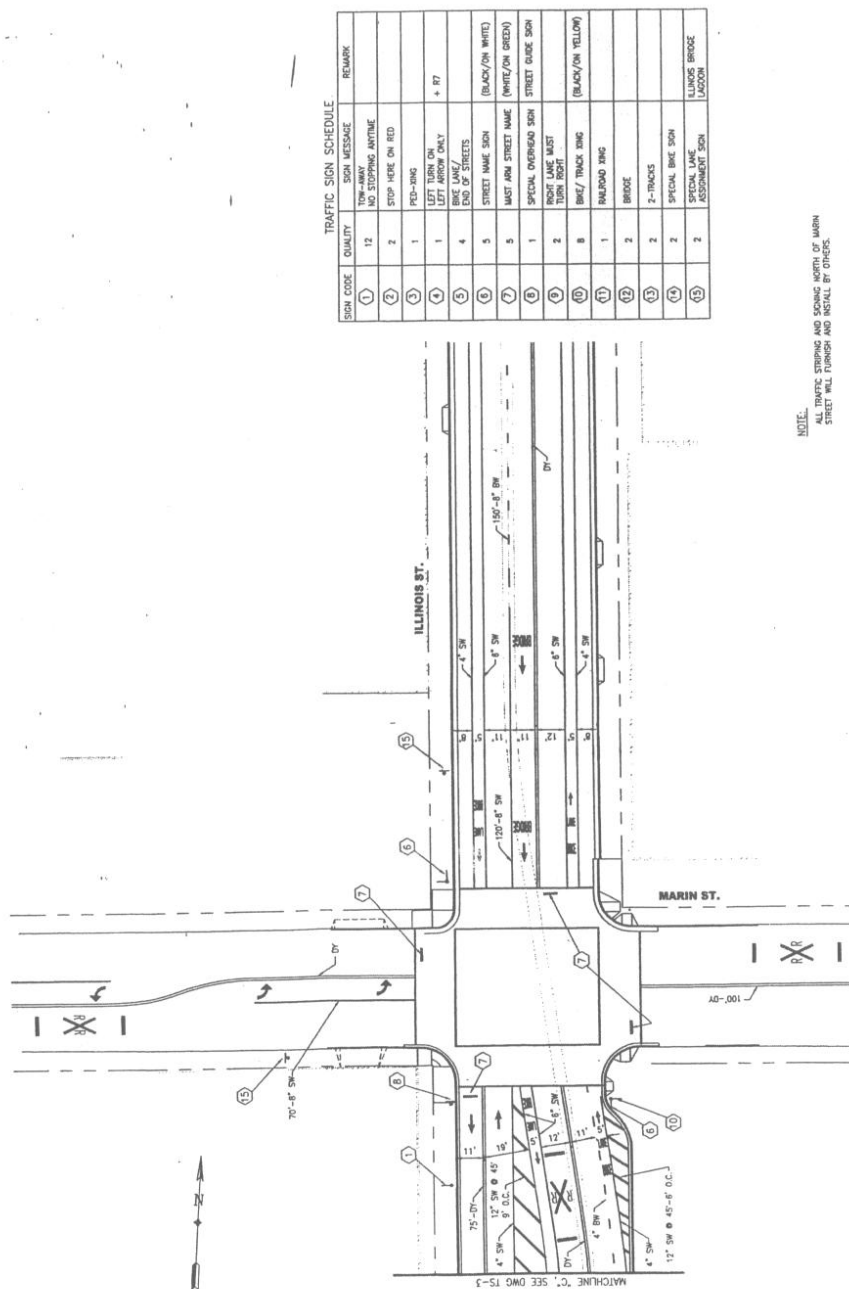
**Crossings closed directly due to Bridge project:**

1. CPUC # 001E- 1.37-C, DOT# 754731N, 16<sup>th</sup> Street near 3<sup>rd</sup> St
2. CPUC # 001E- 1.47-C, DOT# 754732V, 3<sup>rd</sup> St near 16<sup>th</sup>
3. CPUC # 002SF- 0.27, DOT# 016602N, Mission Rock St
4. CPUC # 002SF- 0.34, DOT# 016604C, 4<sup>th</sup> & Illinois St.
5. CPUC # 002SF-0.59, DOT# 017400U, Eldorado & Illinois

**Crossings removed incidental to Bridge project:**

1. CPUC # 002SF- 1.52-C, DOT# unknown, Illinois St near 24<sup>th</sup> (spur removed)
2. CPUC # 002SF- 1.59-C, DOT# unknown, Illinois at 25<sup>th</sup> (spur removed)
3. CPUC # 002SF- 1.63, DOT# 017423B, Illinois St (spur removed)
4. Private crossing on Amador Street, crossing numbers unknown.





TRAFFIC SIGN SCHEDULE			
SIGN CODE	QUANTITY	SIGN MESSAGE	REMARK
1	12	STOP HERE ON RED	
2	2	STOP HERE ON RED	
3	1	PED-BIKE	
4	1	LEFT TURN ON LEFT ARROW ONLY	+ RT
5	4	END OF STREETS	
6	5	STREET NAME SIGN	(BLACK/ON WHITE)
7	5	SPECIAL OVERHEAD SIGN	(WHITE/ON GREEN)
8	1	RIGHT LANE MUST TURN RIGHT	STREET GUIDE SIGN
9	2	BIKE/ TRACK SIGN	(BLACK/ON YELLOW)
10	1	RAILROAD XING	
11	2	BRIDGE	
12	2	2-TRACKS	
13	2	SPECIAL BIKE SIGN	
14	2	SPECIAL LANE ASSIGNMENT SIGN	
15	2		ILLINOIS BRIDGE LADDER

NOTE:  
ALL TRAFFIC STRIPING AND SIGNING NORTH OF MARIN STREET WILL FURNISH AND INSTALL BY OTHERS.

